(c) In cases of change of ownership or location, a new application shall be made.

PART 305—OFFICIAL NUMBERS; INAUGURATION OF INSPECTION; WITHDRAWAL OF INSPECTION; REPORTING OF VIOLATION

2. Section 305.1(c) is revised to read as follows:

§ 305.1 Official numbers.

* * * * *

(c) When inspection has been granted to any applicant at an establishment, it shall not be granted to any other person at the same establishment. However, persons operating as separate entities in the same building or structure may operate separate establishments therein only under their own grant of inspection. All such persons operating separate establishments in the same building or structure shall be responsible for compliance with the Act and regulations in their own establishments, which shall include common areas, e.g., hallways, stairways, and elevators.

PART 317—LABELING, MARKING DEVICES, AND CONTAINERS

3. Section 317.2(g)(1) is revised to read as follows:

§ 317.2 Labels: definitions; required features.

* * * * *

(g)(1) The name or trade name of the person that prepared the product may appear as the name of the manufacturer or packer without qualification on the label. Otherwise the name of the distributor of the product shall be shown with a phrase such as "Prepared for * * *". The place of business of the manufacturer, packer, or distributor shall be shown on the label by city, State, and postal ZIP code when such business is listed in a telephone or city directory, and if not listed in such directory, then the place of business shall be shown by street address, city, State, and postal ZIP code.

* * * * *

(Sec. 21, 34 Stat. 1260, as amended, 21 U.S.C. 621; 37 FR 28464, 28477)

It does not appear that further public participation in rulemaking proceedings would make additional relevant information available to the Department which would alter the decision in this matter. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that further notice and other public rulemaking procedures on the amendments are impracticable and unnecessary.

The recordkeeping and/or reporting requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

These amendments shall become effective on July 14, 1976.

Done at Washington, D.C., on January 7, 1975.

F. J. MULHERN,
Administrator,
Animal and Plant Health Inspection Service.

[FR Doc.75-1043 Filed 1-13-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 10492; Amdt. SFAR 26-7]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Approval of Import Aircraft Engines, Propellers, Materials, Parts, and Appliances; Continuation

The purpose of this amendment is to continue in effect the provisions of currently effective Special Federal Aviation Regulations No. 26 (SFAR 26), as amended by Amendments SFAR 26-1, 26-2, 26-3, 26-4, 26-5, and 26-6 until July 1, 1975.

SFAR 26 provides for approvals on a selective basis, of aircraft engines, propellers, materials, parts, and appliances manufactured in a foreign country with which the United States has an agreement for the acceptance of powered aircraft for export and import. SFAR 26 was adopted to provide these approvals on an interim basis pending appropriate amendments to those bilateral agreements where such amendments are in the mutual interest of the United States and the foreign country involved. The originally established termination date of March 1, 1972, for SFAR 26 was extended by Amendment SFAR 26-1 to September 1, 1972, by Amendment SFAR 26-2 to January 1, 1973, by Amendment SFAR 26-3 to July 1, 1973, by Amendment SFAR 26-4 to January 1, 1974, by Amendment SFAR 26-5 to July 1, 1974, and further extended by Amendment SFAR 26-6 to January 1, 1975.

At the present time the United States has entered into new bilateral agreements with the United Kingdom, Sweden, Belgium, Netherlands, Italy, Germany, and France, and the United States is continuing to negotiate amendments to the bilateral agreements which exist with a number of other foreign countries. However, the FAA is advised that the continuing negotiations will not be concluded by the January 1, 1975, termination date of SFAR 26. The reasons which justified the adoption of SFAR 26 still exist, and, in view of the pending negotiations, the FAA believes that it is in the public interest to extend the termination date of SFAR 26 from January 1, 1975 to July 1, 1975.

Since this amendment continues in effect the provisions of a currently effective Special Federal Aviation Regulation and imposes no additional burden on any person, I find that notice and public procedure hereon are unnecessary and it may be made effective in less than 30 days.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

In consideration of the foregoing, effective January 1, 1975, the last paragraph of Special Federal Aviation Regulation No. 26, published in the FEDERAL REGISTER (35 FR 12748) on August 12, 1970, as amended by Amendments SFAR 26-1, SPAR 26-2, SFAR 26-3, SFAR 26-1, SFAR 26-2, SFAR 26-3, published in the FEDERAL REGISTER (37 FR 4325, 37 FR 16789, 37 FR 28276, 38 FR 17491, 38 FR 35441, and 39 FR 25228) on March 2, 1972, August 19, 1972, December 22, 1972, July 2, 1973, December 28, 1973, and July 9, 1974, respectively, is further amended by striking out the words "January 1, 1975," and inserting the words "July 1, 1975," in place thereof.

Issued in Washington, D.C., on December 31, 1974.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-1075 Filed 1-13-75;8:45 am]

[Docket No. 14052; Amdts. 21-43, 23-16, 25-37]

AIRWORTHINESS REVIEW PROGRAM

Form Number and Clarifying Revisions

The purpose of these amendments is to incorporate into Parts 21, 23, and 25 of the Federal Aviation Regulations several form number and clarifying revisions.

These amendments are based on a notice of proposed rule making (Notice No. 74-33) published in the FEDERAL REGISTER on October 11, 1974 (39 FR 36595) and are the first amendments issued as a part of the First Biennial Airworthiness Review Program (ref. Notice No. 74-5, 39 FR 5785). These amendments and the reasons therefor are the same as those proposed in Notice No. 74-33.

Interested persons have been afforded an opportunitly to participate in the making of these amendments. No objections were received.

(Secs. 313(a), 601, 603, 608, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423, and 1428); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

In consideration of the foregoing, and for the reasons stated in Notice No. 74-33, Parts 21, 23, and 25 of the Federal Aviation Regulations are amended effective February 14, 1975, as follows:

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

§ 21.251 [Amended]

1. By amending § 21.251(b)(4)(iii) and (iv) by striking the parenthetical expression "(FAA Form 186)" and inserting the expression "(FAA Form 8130-3)" in its place in both subdivisions.

§ 21.271 [Amended]

2. By amending § 21.271(a) by striking the parenthetical expression "(FAA Form 186)" and inserting the expression "(FAA Form 8130-3)" in its place.

§ 21.325 [Amended]

3. By amending § 21.325(a)(1) by striking the phrase "FAA Form 26" and inserting the phrase "FAA Form 8130-4" in its place, and by amending § 21.325 (a)(2) by striking the phrase "FAA Form 186" and inserting the phrase "FAA Form 8130-3" in its place.

§ 21.339 [Amended]

4. By amending § 21.339(a) by striking the parenthetical expression "(FAA Form 1362)" and inserting the expression "(FAA Form 8100-2)" in its place, and by amending § 21.339(b) by striking the parenthetical expression "(FAA Form 306)" and inserting the expression "(FAA Form 8130-1)" in its place.

PART 23—AIRWORTHINESS STANDARDS: NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

§ 23.335 [Amended]

5. By amending § 23.335(c)(1) by striking the parenthetical expression "(in miles per hour)".

APPENDIX A [AMENDED]

6. By amending Part 23, Appendix A, A23.3, by adding, after each of the four speed equations, the abbreviation: "kts."

7. By amending Part 23, Appendix A, Figure A-3 by inserting, under the title, the sentence: "Speeds are in knots."

PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

8. By amending § 25.1459(a)(1) to read as follows:

§ 25.1459 Flight recorders.

(a) * * *

(1) It is supplied with airspeed, altitude, and directional data obtained from sources that meet the accuracy requirements of §§ 25.1323, 25.1325, and 25.1327, as appropriate;

* * * * *

Issued in Washington, D.C. on December 31, 1974.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-1076 Filed 1-13-75;8:45 am]

[Airspace Docket No. 74-SO-123]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Eufaula, Ala., transition area.

The Eufaula transition area is described in § 71.181 (40 FR 441). In the description, an extension predicated on the Eufaula VOR 014° radial was designated to provide controlled airspace protection for IFR aircraft executing the VOR Runway 18 Instrument Approach Procedure, which is predicated on a 7-mile DME arc. Since the arc will be increased to 9 miles, effective February 6, 1975, it is necessary to increase the width of the extension to 8 miles and the length to 10 miles. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., February 6, 1975, as hereinafter set forth.

In § 71.181 (40 FR 441), the Eufaula, Ala., transition area is amended as follows: "* * * within 3 miles each side of Eufaula VOR 014° radial, extending from the 6.5-mile radius area to 8.5 miles north of the VOR * * *" is deleted and "* * * within 4 miles each side of Eufaula VOR 014° radial, extending from the 6.5-mile radius area to 10 miles north of the VOR * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on January 6, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-1077 Filed 1-13-75;8:45 am]

[Docket No. 13284 Amdt. 95-255]

PART 95—IFR ALTITUDES

Exception to Western United States Mountainous Area

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to add an additional exception to that portion of the Western United States described in § 95.15(a) and designated as a mountainous area under § 95.11. The area that is added as an exception is in the vicinity of Puget Sound in the northwest portion of the State of Washington.

Interested persons have been afforded an opportunity to participate in the making of this amendment by a notice of proposed rule making (Notice 73-28) issued on October 17, 1973, and published in the FEDERAL REGISTER on November 1, 1973 (38 FR 30109). Due consideration has been given to all comments presented in response to the notice. Except for minor editorial changes, and except as specifically discussed hereinafter, these amendments and the reasons therefor are the same as those in Notice 73-28.

All public comments received in response to the notice favored the adoption of the proposed exception which will provide additional operational altitudes in this area.

The import of an area being designated as a mountainous area is reflected in §§ 91.119, 91.195, 121.657, and 135.91. Section 91.119(a)(2)(i) prescribes in pertinent part, that no person may operate a aircraft under IFR over an area designated as a mountainous area in Part 95 (where no minimum altitudes are prescribed for that area in Parts 95 and 97), unless an altitude of at least 2,000 feet is maintained above the highest obstacle within a horizontal distance of five statute miles from the course to be flown. Sections 91.195(a)(2) and 135.91 (a)(2) provide similar requirements for VFR night operations conducted under Subpart D of Part 91 and Part 135, and § 121.657(c) provides, in pertinent part, a similar requirement for night VFR, IFR, and over-the-top operations conducted under Part 121. With respect to those operations not conducted over designated mountainous areas, under §§ 91.119(a)(2)(ii), 91.195(a)(2), 121.657(c), and 135.91(a)(2), the requirements are similar except that a limitation of 1,000 feet is required in place of a limitation of 2,000 feet as is required for areas designated as mountainous areas.

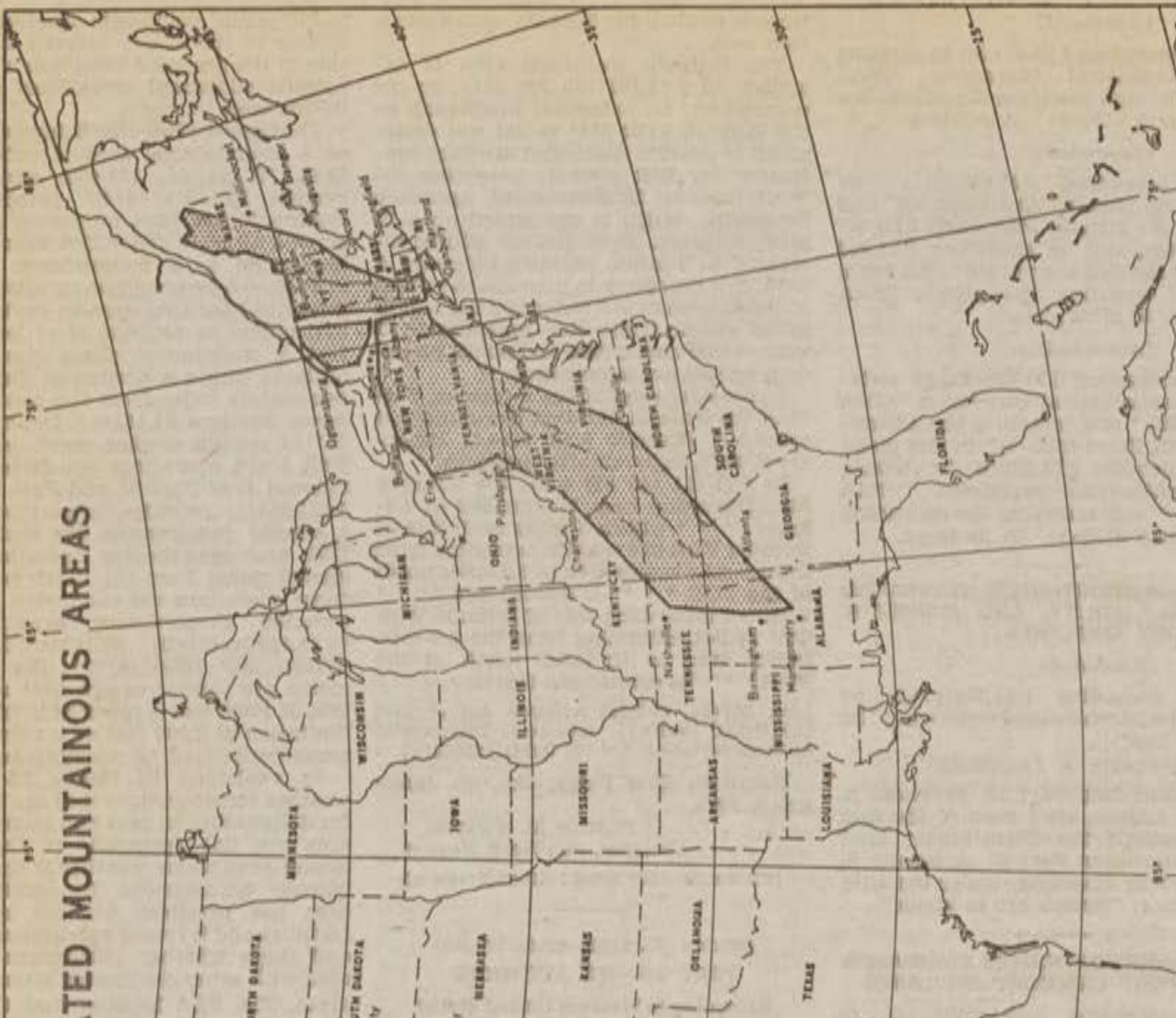
As explained in Notice 73-28, the weather considerations that are the basis for designating an area as a mountainous area are not applicable to the Puget Sound Area where weather is characteristically homogenous. In addition, the area has excellent whether reporting facilities and is free of precipitous terrain and those whether phenomena associated with other designated mountainous areas. The FAA believes that the need exists in this area for additional operational altitudes, and that safety will not be adversely affected by the addition of an exception to § 95.15(b) covering the area described in Notice 73-28.

This amendment also substitutes a revised map, which incorporates the new exception, for the map entitled "Designated Mountainous Terrain" that is presently included in Part 95.

(Sec. 307, 313(a), 601, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), and 1421); sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, Part 95 of the Federal Aviation Regulations is hereby amended, effective February 13, 1975, as follows:

1. By amending the diagram in Subpart B of Part 95 entitled "Designated Mountainous Terrain" to pictorially reflect the exception in new § 95.15(b)(2) as follows:


DESIGNATED MOUNTAINOUS AREAS
LEGEND
MOUNTAINOUS AREAS
WASHINGTON
OREGON
CALIFORNIA
NEVADA
IDAHO
MONTANA
WYOMING
UTAH
ARIZONA
COLORADO
NEW MEXICO
NORTH DAKOTA
SOUTH DAKOTA
NEBRASKA
KANSAS
OKLAHOMA
TEXAS
MINNESOTA
IOWA
MISSOURI
ARKANSAS
LOUISIANA
WISCONSIN
ILLINOIS
MISSISSIPPI
MICHIGAN
INDIANA
KENTUCKY
TENNESSEE
ALABAMA
OHIO
GEORGIA
FLORIDA
SOUTH CAROLINA
NORTH CAROLINA
VIRGINIA
WEST VIRGINIA
PENNSYLVANIA
NEW YORK
Rapid City
Scottsbluff
La Junta
Tucumcari
Roswell
Carlsbad
Fort Stockton
Nashville
Birmingham
Atlanta
Chattanooga
Pittsburgh
Erie
Buffalo
Ogdensburg

2. By amending paragraph (b) of § 95.15 by redesignating the present language of that paragraph as subparagraph (b)(1) and by adding a new subparagraph (b)(2) to read as follows:

§ 95.15 Western United States Mountainous Area.

* * * * *

(b) *Exceptions.* * * *

(2) Beginning at latitude 49°00′ N., longitude 122°21′ W.; thence to latitude 48°34′ N., longitude 122°21′W.; thence to latitude 48° 08′ N., longitude 122°00′ W.; thence to latitude 47°12′ N., longitude 122°00′ W.; thence to latitude 46°59′ N., longitude 122°13′ W.; thence to latitude 46°52′ N., longitude 122° 16′ W.; thence to latitude 46°50′ N., longitude 122°40′ W.; thence to latitude 46°35′ N., longitude 122°48′ W.; thence to latitude 46° 35′ N., longitude 123°17′ W.; thence to latitude 47°15′ N., longitude 123°17′ W.; thence to latitude 47°41′ N., longitude 122°54′ W.; thence to latitude 48°03′ N., longitude 122° 48′ W.; thence to latitude 48°17′ N., longitude 123°15′ W.; thence North and East along the United States and Canada boundary to latitude 49°00′ N., longitude 122°21′ W., point of beginning.

Issued in Washington, D.C. on January 3, 1975.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-969 Filed 1-10-75;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket No. R-389-B; Opinion 699-I]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Just and Reasonable National Rates for Natural Gas Sales

JANUARY 7, 1975.

Just and reasonable national rates for sales of natural gas from wells commenced on or after January 1, 1973, and new dedications of natural gas to interstate commerce on or after January 1, 1973 (Docket No. R-389-B; opinion No. 699-I; opinion and order modifying in part Opinion No. 699-H).

It is apparent that some confusion exists with respect to the provisions of Opinion No. 699-H[1] and § 2.56a(a)(2)(ii)[2] which allow procedures who have applied for certificates of public convenience and necessity pursuant to the optional procedure[3] to receive the national rate prescribed in § 2.56a(a)(1)[4] in lieu of the applied for rate under the optional procedure.

In providing that producers who had filed for certificates pursuant to the optional procedure could receive the national rate, we did not intend that those producers would be permitted to receive the national rate where such rate is more beneficial to the producer than the rate which was sought under the optional procedure and where deliveries have commenced pursuant to the optional procedure. That is the holding of the *Texas Gas Exploration Corporation*[5] case and Opinion No. 699-H does not reverse that holding.

Opinion No. 699-H and § 2.56a(a)(2)(ii) were not intended to allow any producer who has commenced sales pursuant to § 2.75(n)[6] to file for the national rate in lieu of the applied for contract rate under the optional procedure. Initially, a producer has the choice of applying for a certificate under the optional procedure or the national rate, but after a choice has been made and the benefits of either certification procedure obtained, the producer does not have "the benefit of choosing the most advantageous (to it) of the two certification procedures authorized by the Commission, without any resulting benefit to the purchasing pipelines or gas consumers dependent thereon."[7] We affirm our holding in *Texas Gas Exploration Corporation* that a producer who has enjoyed the benefits of the Order No. 455 may not renounce the burdens of that order in an attempt to gain the more "advantageous (to it)" burdens and benefits of the national rate structure.[8] Opinion No. 699-H and § 2.56a(a)(2)(ii) must be construed in light of this holding.

Because of the potential for confusion exists, we find that it is in the public interest to amend § 2.56(a)(2)(ii) as set forth below in Ordering Paragraph (A) to define the terms and conditions under which sales commenced pursuant to the optional procedure may be certificated at the national rate. Where the average price and escalations provided for in the contract filed pursuant to the optional procedure are equal to or greater than the average price determined pursuant to the national rate regulations without regard for any price increases which might result from the biennial review of the national rate pursuant to § 2.56a(n),[10] the Commission will determine whether to allow the producer the just and reasonable rate under the national rate structure, provided no certificate for the subject sale has been issued pursuant to § 2.75.

Where the contract originally filed pursuant to the optional procedure has been amended since the date of filing, the producer will not be permitted to receive the national rate in lieu of the contract price unless the producer can demonstrate at a hearing before an administrative law judge that the benefits under the national rate regulations are less than the benefits under the amended contract and that the contract was not amended solely for the purpose of attempting to gain the benefits of § 2.56a. This limitation is not in derogation of the producer's right to receive the national rate pursuant to § 2.75(o) as amended by Order No. 455-B, —— F.P.C. —— (November 25, 1974).

We would also note that the fact that contracts filed pursuant to the optional procedure contain an "area rate" clause does not permit the applicant to file for the national rate since such clauses are prohibited by the optional procedure regulations."[11]

The first paragraph of § 2.56a(c)(1) is modified as set forth below by deleting the words "at least" and inserting in their place the words "a base" to conform the wording of the downward BTU adjustment to the upward Btu adjustment.

Section 2.56a(o) is modified as set forth below by deleting the reference to Opinion No. 699-E and inserting a reference to Opinion No. 699-H.

Section 2.56(f)(3) adopted by Ordering Paragraph (B) of Opinion No. 699-H is amended to read as set forth below in order to conform it to § 2.56a(k)

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 4, 5, 7, 8, 14, 15, and 16 thereof (52 Stat. 822, 823, 824, 825, 828, 829, 830 (1938); 56 Stat. 83, 84, (1942); 61 Stat. 459 (1947); 76 Stat. 72 (1962); 15 U.S.C. 717c, 717d, 717f, 717g, 717m, 717n, 717o (1970)), *orders:*

§ 2.56a [Amended]

(A) Section 2.56a(a)(2)(ii) (18 CFR 2.56a(a)(2)(ii)) is amended to read as follows:

(ii) Sales made pursuant to (A) contracts for the sale of natural gas in interstate commerce for gas not previously sold in interstate commerce prior to January 1, 1973, except pursuant to the provisions of §§ 2.68, 2.70, 157.22, or 157.29 (including sales made pursuant to those sections as modified by Federal Power Commission Order No. 491, *et al.*); or (B) § 2.75(n), where such sales are initiated on or after January 1, 1973, if the average of the sum of the proposed contract price, periodic escalations, and Btu and tax adjustments is greater than the average of the sum of the base national rate prescribed in paragraph (a)(1) of this section, the annual escalation prescribed in paragraph (a)(3) of this section, and the Btu and tax adjustments prescribed in paragraphs (c) and (b)(1) of this section, over the term of the contract submitted for certification pursuant to the optional procedure, provided that no certificate for the subject sale has been issued pursuant to the optional procedure (§ 2.75).

(B) The first paragraph of § 2.56a(c)(1) is amended to read as follows:

(1) For natural gas containing more than 1,000 Btu's per cubic foot, at 60° F. and 14.73 psia, upward adjustments shall be made on a proportional basis from a base of 1,000 Btu's per cubic foot; and

[1] —— F.P.C. —— at ——; Opinion No. 699-H at 45.

[2] 18 CFR 2.56a(a)(2)(ii).

[3] *Optional Procedure For Certificating New Producer Sales Of Natural Gas*, 48 F.P.C. 218, *amended* and *reh. denied*, 48 F.P.C. 477, *reh. denied*, 48 F.P.C. 1002 (1972), *affirmed* in part *John E. Moss, et al.* v. *F.P.C.*, Nos. 72-1837, *et al.*, D.C. Cir., August 15, 1974 (Reversed as to pregranted abandonment, § 2.75(e)).

[4] 18 CFR 2.56a(a)(1).

[5] Docket No. CI73-681, Opinion No. 706, —— F.P.C. —— (September 17, 1974).

[6] 18 CFR 2.75(n).

[7] —— F.P.C. —— at ——; Opinion No. 706 at 6.

[8] Id.

[9] 18 CFR 2.56a(a)(3).

[10] 18 CFR 2.56a(n).

[11] 18 CFR 2.75.

for natural gas containing less than 1,000 Btu's per cubic foot, at 60° F. and 14.73 psia, downward adjustments shall be made on a proportional basis from a base of 1,000 Btu's per cubic foot.

(C) Section 2.56a(o) is amended by revising the second sentence of that section to read as follows: "By this Opinion No. 699–H, said § 2.56(h) is revised and designated as § 2.56a (18 CFR § 2.56a).

§ 2.56 [Amended]

(D) Section 2.56(f)(3) is revised to read as follows:

(3) *Reservoirs Discovered On Or After January 1, 1973.*

The rate for gas sold from new reservoirs discovered on or after January 1, 1973, shall be determined by § 2.56a(k).

(E) The effective date of the modifications made herein is June 21, 1974.

(F) The Secretary of the Commission shall cause prompt publication of this opinion and order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-1149 Filed 1-13-75;8:45 am]

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority

REVISION OF DELEGATIONS OF AUTHORITY TO DESIGNATE OFFICAL MASTER AND WORKING STANDARDS FOR ANTIBIOTIC DRUGS

Correction

In FR Doc. 74–29059 appearing on page 43390 in the issue for Friday, December 13, 1974 the paragraph heading for § 2.121(n) now reading "Delegation regarding designation for antibiotic drugs", should read "Delegation regarding designation of official master and working standards for antibiotic drugs."

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

FOOD STARCH-MODIFIED

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 4A2947) filed by American Maize-Products Co., 113th St. and Indianapolis Blvd., Hammond, IN 46326, concludes that the food additive regulations (21 CFR Part 121) should be amended, as set forth below, to provide for the safe use of food starch-modified by treatment with phosphorus oxychloride followed by acetic anhydride or vinyl acetate.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under authority delegated to the Commissioner (21 CFR 2.120), § 121.1031 is amended in paragraph (d) by inserting alphabetically a new item as follows:

§ 121.1031 Food starch-modified.

* * * * *

(d) * * *

	Limitations
* * *	* *
Phosphorus oxychloride, not to exceed 0.1 percent, followed by either acetic anhydride, not to exceed 8 percent, or vinyl acetate, not to exceed 7.5 percent.	Acetyl groups in food starch-modified not to exceed 2.5 percent.
* * *	* *

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before February 13, 1975 file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective January 14, 1975.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1).)

Dated: January 7, 1975.

SAM D. FINE, *Associate Commissioner for Compliance.*

[FR Doc.75-1099 Filed 1-13-75;8:45 am]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH AQUEOUS AND FATTY FOODS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 4B3018) filed by Calgon Corp., Calgon Center, Box 1346, Pittsburgh, PA 15230, and other relevant material, concludes that § 121.2526(a)(5) should be amended by revising the item "Diallyldiethylammonium chloride polymer with acrylamide and diallyldimethylammonium chloride, partially hydrolyzed * * *" by (1) permitting an alternative monomer charge to be used in producing the finished resin and (2) changing the viscosity limitation for a 1 percent by weight aqueous solution of the resin from a range of 22–25 centipoises at 22° C to a minimum of 22 centipoises at 22° C.

Also, it has come to the Commissioner's attention that the same item should be further changed to conform to the original petition by correcting the value "2.4" to read "2.5" for the reactant "Diallyldiethylammonium chloride" in the weight ratio of reactants. And, for clarity and specificity, "amide groups" should be expressed as "acrylamide" and "potassium carboxylate groups" as "potassium acrylate".

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2526(a)(5) is amended by revising the listing for the item "Diallyldiethylammonium chloride polymer with acrylamide and diallyldimethylammonium chloride, partially hydrolyzed * * *" to read as follows:

§ 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

* * * * *

(a) * * *

(5) * * *

List of substances	*Limitations*
* * *	* *
Diallyldiethylammonium chloride polymer with acrylamide, potassium acrylate, and diallyldimethylammonium chloride. The polymer is produced by copolymerizing either: (1) acrylamide, diallyldiethylammonium chloride, and diallyldimethylammonium chloride in a weight ratio of 50–2.5–47.5, respectively, with 4.4 percent of the acrylamide subsequently hydrolyzed to potassium acrylate, or (2) acrylamide, potassium acrylate (as acrylic acid), diallyldiethylammonium chloride, and diallyldimethylammonium chloride in a weight ratio of 47.8–2.2–2.5–47.5, so that the finished resin in a 1 percent by weight aqueous solution has a minimum viscosity of 22 centipoises at 22° C, as determined by LVF-series Brookfield viscometer using a No. 1 spindle at 60 r.p.m. (or by other equivalent method).	For use only as a retention aid employed prior to the sheet-forming operation in the manufacture of paper and paperboard and limited to use at a level not to exceed 0.05 percent by weight of the finished paper and paperboard.
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Any person who will be adversely affected by the foregoing order may at